

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

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|-----------------------------------|---|--|
| <b>RYAN D. HUMPHREY,</b>          | ) | <b>CASE NO. 1:05 CV 1583</b>                     |
|                                   | ) |  |
| <b>Petitioner,</b>                | ) |  |
|                                   | ) |  |
| <b>v.</b>                         | ) | <b>JUDGE DONALD C. NUGENT</b>                    |
|                                   | ) |  |
| <b>MARGARET BRADSHAW, WARDEN,</b> | ) | <b>Magistrate Judge William H. Baughman, Jr.</b> |
|                                   | ) |  |
| <b>Respondent.</b>                | ) | <b><u>JUDGMENT</u></b>                           |

Pursuant to this Court's Memorandum Opinion and Order, the Report and Recommendation of Magistrate Judge William H. Baughman (Document #11) is ADOPTED. Petitioner's Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2254 (Document #1) is hereby DISMISSED on the basis that it is untimely.

Further, the Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that an appeal from this decision could not be taken in good faith, and there is no basis upon which to issue a certificate of appealability. 28 U.S.C. § 2253(c); FED. R. APP. P. 22(b).

IT IS SO ORDERED.

s/Donald C. Nugent  
DONALD C. NUGENT  
United States District Judge

DATED: December 4, 2007